

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. 2:23-cv-01310-VBF-PD

Date: February 16, 2024

Title Carlton M. Sims v. Correctional Officer Palacios

Present: The Honorable: Patricia Donahue, U.S. Magistrate Judge

Isabel Verduzco
Deputy Clerk

N/A
Court Reporter / Recorder

Attorneys Present for Plaintiff:
N/A

Attorneys Present for Defendants:
N/A

Proceedings: **(In Chambers) Order to Show Cause Re: Plaintiff's Current Address and Failure to File a Second Amended Complaint**

On January 9, 2024, the Court issued a screening order dismissing Plaintiff's First Amended Complaint with leave to amend. [Dkt. No. 12.¹] On February 12, 2024, the Court's order was returned from California State Prison-Los Angeles County with a notation "RETURN TO SENDER--inmate out to court." [Dkt. No. 13.]

Local Rule 41-6 requires that a party proceeding pro se "must keep the Court and all other parties informed of the party's current address as well as any telephone number and email address. If a Court order or other mail served on a pro se plaintiff at his address of record is returned by the Postal Service as undeliverable and the pro se party has not filed a notice of change of address within 14 days of the service date of the order or other Court document, the Court may dismiss the action with or without prejudice for failure to prosecute."

¹ A copy of the screening order dismissing Plaintiff's First Amended Complaint with leave to amend is attached hereto. [See Dkt. No. 12.]

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The Court previously cautioned Plaintiff that he must keep the Court apprised of his address at all times and that his failure to do so may result in the case being dismissed for failure to prosecute. [See Dkt. No. 4.] See also Local Rule 83-2.4; Local Rule 41-6.

According to the California Incarcerated Records & Information Search (“CIRIS”), Plaintiff is in the custody of the CDCR at Salinas Valley State Prison, 31625 Highway 101, Soledad, CA, 93960. See <https://cdcr.ca.gov/search>.

Accordingly, Plaintiff is ordered to provide a current address and a Second Amended Complaint curing the deficiencies outlined in Docket Number 12 to the Court no later than **March 13, 2024**.

Failure to file a timely response to this Order as directed above will result in a recommendation to the District Judge that this case be dismissed for failure to prosecute and obey Court orders pursuant to Federal Rules of Civil Procedure 41(b).

The clerk is directed to send this Order to Show Cause along with a copy of the Order Dismissing First Amended Complaint with Leave to Amend [Dkt. No. 12] to Plaintiff at the above address.

The Clerk is also directed to place a text entry on the Docket stating that this Order and the Order to Show Cause were mailed to Plaintiff at his address listed on the Docket and at his new address.

It is so Ordered.

Initials of Preparer

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